

REMARKS

This amendment responds to the office action mailed February 2, 2006. In the office action the Examiner:

- rejected claims 1, 13, 22 and 34 under 35 U.S.C. 102(e) as anticipated by McCrady et al. (US 6,665,333);
- rejected claims 19 and 40 under 35 U.S.C. 103(a) as being unpatentable over McCrady et al. (US 6,665,333) as applied to claims 13 and 34 above;
- rejected claims 20, 21 and 41 under 35 U.S.C 103(a) as being unpatentable over McCrady et al. (US 6,665,333) as applied to claim 19 above, in view of Edison (US 6,278,710); and
- objected to claims 2-12, 14-18, 23-33, 35-39 as being dependent upon a rejected based claim;

After entry of this amendment, the pending claims are: claims 1-41

Overview of Claim Changes

Claims 13 and 34 have been amended to clarify that signals are received during a time slot assigned to another device. Support is found in the specification in paragraphs 29 and 47-55. These amendments, therefore, do not constitute new matter.

Detailed Response 35 U.S.C. 102(e)

In the present Office Action, the Examiner has rejected claims 1, 13, 22 and 34 as anticipated by McCrady et al. (US 6,665,333). The Applicants disagree and traverse.

After entry of this reply, pending independent claims 1, 13, 22 and 34 include the limitation of transmitting and/or receiving signals during time slots assigned to devices in a positioning system. McCrady et al. does not teach or suggest this limitation.

McCrady et al. uses spread spectrum signals in a positioning system. McCrady is silent regarding assigned time slots. The Applicants note that the discussion of Carrier Sense Multiple Access-Collision Avoidance (CSMA-CA) in McCrady et al. (for example, col. 7, line 51 through col. 8, line 12) does not teach or suggest assigned time slots. An on-line technical dictionary (www.linktionary.com/c/csma.html) indicates that in CSMA-CA, “collisions are avoided because each node signals its intent to transmit before actually doing so.” Thus, each device communicates its intent to transmit prior to doing so to avoid communication conflicts. This is distinct from assigned time slots.

Since McCrady et al. does not teach or suggest all of the limitations of these claims, it does not anticipate these claims. Removal of this ground for rejection is requested.

Detailed Response 35 U.S.C. 103(a)

In the present Office Action, the Examiner has rejected claims 19 and 40 as unpatentable over McCrady et al. The applicants disagree and traverse.

Dependent claims 19 and 40 include the limitations of their parent independent claims. As discussed above, since McCrady et al. did not achieve all the limitations of those claims, it does not achieve all the limitations of dependent claims 19 and 40. McCrady et al. is not, therefore, *prima facie* obvious. Removal of this ground for rejection is requested.

In the present Office Action, the Examiner has rejected claims 20, 21 and 41 as unpatentable over McCrady et al. in view of Eidson (US 6,278,710). The applicants disagree and traverse.

Dependent claims 20, 21 and 41 include the limitations of their parent independent claims. The references in the cited combination, either alone or in combination, do not teach or suggest the limitations of transmitting and/or receiving signals during time slots assigned to devices in a positioning system. The cited combination is not, therefore, *prima facie* obvious. Removal of this ground for rejection is requested.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-7501, if a telephone call could help resolve any remaining items.

Respectfully submitted,

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